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**U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION REPORT**

I. HEADING

Date: September 8, 2000
Subject: Nicor Mercury Sites, Chicago Suburbs, Multiple Counties, Illinois
From: Brad Stimple, U.S. EPA On-Scene Coordinator, Region 5, RS3

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POLREP: # 2

II. BACKGROUND

CERCLIS ID No: ILN000508064	SITE ID # B5P9
Response Authority: CERCLA	NPL Status: NA
Start Date: 07/24/00	Action Memo Status: NA
Completion Date:	

III. SITE DESCRIPTION

A. Incident Category: Residential, Scrap Yard and Nicor Service Center Mercury Spills - PRP Oversight

Site Location: Various Residential and Industrial Addresses Throughout the Nicor Service Area Located Primarily in Northern Illinois.
Mt. Prospect - LAT: 42° 03' 13" North; LONG: 87° 56' 27" West

1. Site Description:

The scope of the Nicor Gas (Nicor) mercury situation has substantially grown since the initial POLREP #1. On 8/26/00, Nicor announced that they will now be inspecting and screening (for Hg vapor) all homes within their service area which may have had either a mercury regulator removed from the basement of the home to the outside or those homes which may still have a mercury regulator existing in the home. Mercury regulator and meter change outs have been a common procedure within Nicor's service area for several decades. The conservative number of homes to be inspected by Nicor may be up to 200,000.

The initial scope of potentially affected homes was originally limited to suburban neighborhoods where one subcontractor, Henkels and McCoy, Inc. (HMI), performed regulator and meter (meter set) change out work. Approximately 120 homes where HMI performed work were screened in 12 Chicago suburbs. From the beginning of U.S. EPA's involvement, Nicor has been asked to identify other contractors who may have improperly removed mercury regulators in the past. Nicor employed technicians have also routinely changed out mercury meter sets over the years and Nicor repeatedly indicated that they have a proper protocol in place and that they are confident that Nicor technicians are not part of the problem.

On 8/25/00, a Park Ridge, Illinois home was identified as one where a Nicor technician had changed out a mercury regulator in 1989. The home was screened and the basement was found to be contaminated and cleanup was required. It was at this point that Nicor realized that the problem may be widespread and the universe of potentially contaminated homes enormous, resulting in their announcement to inspect and screen up to 200,000 homes. Nicor offered a 90 day to six month time frame for this to be completed.

U.S. EPA and ATSDR were requested to join a task force established by the Office of the Attorney General (AGO), focusing on the entire Nicor mercury situation. U.S. EPA, ATSDR and IDPH have been working with Nicor and the task force since 8/23/00, to develop a plan to efficiently and effectively accomplish this task. It was agreed in a recent meeting that those homes where a mercury regulator was most recently removed (within the last five years) or homes whose occupants may be pregnant or of a very young age would be screened first. Nicor began the screening process on 9/5/00.

As evidence of improper and inconsistent handling of mercury mounted, U.S. EPA, IEPA and the AGO required Nicor to expand its investigation. Specifically, Nicor was directed to investigate the many Nicor service centers where regulators were taken after removal from residences, and to investigate scrap yards where regulators were taken after processing. Nicor service centers and the scrap yards are located throughout northern Illinois.

On 8/31/00, Nicor formally notified U.S. EPA that at least one scrap yard, Chicago Heights Iron & Supply Co., was discovered to possess scrap regulators, many of which were the mercury type. On 9/1/00, U.S. EPA responded to the site and confirmed the presence of possibly one hundred or more regulators located in several piles on the property. U.S. EPA and IEPA confirmed the presence of elevated mercury vapor readings and also visually observed mercury still contained in the regulators. According to the scrap owner, between 3-5 loads of discarded Nicor regulators and scrap metal was removed from the Nicor Glenwood service center a year, for up to ten years.

On 9/2/00, U.S. EPA and IEPA began joint inspections of scrap yards identified by Nicor, who may

have purchased what was supposed to be non-hazardous scrap metal to be later recycled. Inspections of Nicor service centers also began. When mercury regulators were removed from residential or industrial settings, they were transferred to these service centers. Nicor employees were to have removed the remaining metallic mercury from the regulators. It appears that Nicor did not have adequate procedures in place for removing mercury, or those procedures were not followed.

On 9/5/00, Illinois State and County prosecutors filed a five count lawsuit in Cook County Circuit Court against Nicor and two subcontractors to compel Nicor to develop a cleanup plan to be approved and overseen by the State of Illinois, U.S. EPA and ATSDR.

On 9/6/00, U.S. EPA issued a CERCLA Unilateral Administrative Order (UAO) to Nicor for the immediate cleanup of all scrap yards, Nicor service centers and any other industrial facilities found to be contaminated. U.S. EPA, with IEPA support, will oversee these cleanups expected to begin next week. Nicor must first submit work plans (as specified by the order) for U.S. EPA review and approval.

To date, approximately 1,700 homes have been screened and 80 require decontamination. Of those 80 homes, 28 have been decontaminated and approved by ATSDR and U.S. EPA for re-occupancy. Seven Nicor service centers and four scrap yards have been identified U.S. EPA and IEPA as requiring some cleanup activity and removal work.

2. Description of threat:

The presence of metallic mercury and associated vapor release discovered in many of the above mentioned homes poses a serious threat to human health and the environment through direct contact, ingestion, and inhalation. Mercury vapor screening results discovered by U.S. EPA/START and by the cleanup contractor indicate levels well above guideline levels established by ATSDR for residential settings.

IV. RESPONSE INFORMATION

A. Situation

1. Current Situation

Nicor has assumed responsibility for the mercury spills and has retained cleanup contractors to perform the removal work. U.S. EPA has assumed a monitoring and oversight role to ensure that the homes are properly decontaminated and that air monitoring activities are properly pursued. As specified by the UAO, U.S. EPA will oversee cleanup of the scrap yards and Nicor service centers. IEPA will support this oversight particularly in the case of the service centers.

2. Removal Activities to Date

No on-site removal activities performed thus far.

3. Enforcement

On 7/31/00, U.S. EPA issued a CERCLA General Notice of Potential Liability (notice letter) and a Request for Information (information request) to both Nicor Gas and Henkels and McCoy, Inc.

On 9/1/00, U.S. EPA issued an additional information request to Nicor. On 9/1/00, U.S. EPA issued a notice letter, associated contamination discovered at the Chicago Heights Iron & Supply site, to both Nicor and the scrap yard owner.

On 9/6/00, U.S. EPA issued a UAO to Nicor for the cleanup of the scrap yards and service centers identified to date. Notice letters to the three other scrap yards where mercury regulators have been discovered will be forwarded to owners early next week.

B. Planned Removal Actions

1. U.S. EPA along with ATSDR and the various state agencies will continue to monitor the progress of the residential cleanup. U.S. EPA has been randomly screening homes to confirm Nicor results.
2. Review work plans submitted by Nicor for the cleanup of scrap yards and service centers.
3. Begin PRP removal oversight at the Chicago Heights site.

C. Key Issues

No key issues to discuss at this time.

V. COSTS

TO BE DETERMINED.

* The above accounting of expenditures is an estimate based on amounts known by the OSC at the time of preparation of this report. The cost accounting data shown in this report does not necessarily represent the exact monetary figures which the U.S. Government may include in any claim for cost recovery.

VI. DISPOSITION OF WASTES

Any recovered mercury and all contaminated items generated as part of the residential home cleanup effort is being properly disposed by cleanup contractors retained by Nicor under U.S. EPA and IEPA supervision.